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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,908	06/26/2003	Michael E. Leckrone	P-8030.02	5703
27581	7590	06/30/2006		
MEDTRONIC, INC. 710 MEDTRONIC PARK MINNEAPOLIS, MN 55432-9924			EXAMINER TOY, ALEX B	
			ART UNIT 3739	PAPER NUMBER

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/606,908

Applicant(s)

LECKRONE ET AL.

Examiner

Alex B. Toy

Art Unit

3739

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 20-25 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-25 and 34-37 is/are rejected.
- 7) ☒ Claim(s) 20-25 and 34-37 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/26/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claims 20-25 and 34-37 are objected to because of the following informalities: "the lead body" lacks antecedent basis. For the purposes of examination, it is assumed that applicant intended to recite "the catheter body". Appropriate correction is required.

Claims 22 and 35 are objected to because of the following informalities: The flanges extend laterally from the recessess. Appropriate correction is required.

Claim 23 is objected to because of the following informalities: The electrode is located alongside the recessess. Appropriate correction is required.

Claim 36 is objected to because of the following informalities: The tissue is drawn against only 1 recess. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20-25 and 34-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Jahns (U.S. PGPub 2002/0002372 A1).

Regarding claim 20, Jahns discloses an ablation catheter, comprising:

a catheter body 72 having proximal and distal ends and having a longitudinally extending internal lumen and carrying an elongated conductor 28 therein (Fig. 1);

a catheter head 12 located at distal portion of the catheter body, the catheter head provided with a longitudinally extending recess 44 in fluid communication with the lumen of the catheter body and having flanges extending laterally from the recess (Figs. 1-3); and

an electrode 12 coupled to the conductor within the catheter body and extending along the recess. Since the entire catheter head 12 may comprise the electrode (pg. 3, ¶ 38), the electrode 12 of Jahns inherently extends along the recess 44.

Regarding claim 21, Jahns discloses the ablation catheter according to claim 20, wherein the electrode 12 is located within the recess. Again, since the entire catheter head 12 may comprise the electrode (pg. 3, ¶ 38), the electrode 12 of Jahns inherently is located within the recess 44.

Regarding claim 22, Jahns discloses an ablation catheter, comprising:

a catheter body 72 having proximal and distal ends and having a longitudinally extending internal lumen and carrying an elongated conductor 28 therein (Fig. 1);

a catheter head 12 located at distal portion of the catheter body, the catheter head provided with a longitudinally extending series of recesses 44 in fluid communication with the lumen of the catheter body and having flanges extending laterally from the recesses (Figs. 1-3); and

an electrode 12 coupled to the conductor within the catheter body and extending along the series of recesses. Since the entire catheter head 12 may comprise the electrode (pg. 3, ¶ 38), the electrode 12 of Jahns inherently extends along the series of recesses 44.

Regarding claim 23, Jahns discloses the ablation catheter according to claim 22, wherein the electrode 12 is located alongside the recesses. Again, since the entire catheter head 12 may comprise the electrode (pg. 3, ¶ 38), the electrode 12 of Jahns inherently is located alongside the recesses 44.

Regarding claim 24, see the rejections of claims 22 and 23.

Regarding claim 25, see the rejections of claims 20 and 21.

Regarding claim 34, see the rejection of claims 20. In addition, Jahns discloses: applying suction to the lumen within the lead body to draw the tissue into the recess and into contact with the electrode (pg. 5, ¶ 53 and Fig. 3); and applying RF energy to the conductor (pg. 4, ¶ 44)

Regarding claim 35, see the rejections of claims 22 and 34.

Regarding claim 36, see the rejections of claims 20, 23, and 34.

Regarding claim 37, see the rejections of claims 20, 21, and 34.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 4991578 A	USPAT	Cohen; Donald M.
US 5336252 A	USPAT	Cohen; Donald M.
US 5703985 A	USPAT	Owyang; Zachary E.
US 5782823 A	USPAT	Mueller; Richard L.
US 5830214 A	USPAT	Flom; James R. et al.
US 5836311 A	USPAT	Borst; Cornelius et al.
US 5972013 A	USPAT	Schmidt; Cecil C.
US 6086583 A	USPAT	Ouchi; Teruo
US 6091995 A	USPAT	Ingle; Frank et al.
US 6152918 A	USPAT	Padilla; Henry N. et al.

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US 20010031963 A1	US-PGPUB	Sharkey, Hugh R. et al.
US 6328688 B1	USPAT	Borst; Cornelius et al.
US 6514250 B1	USPAT	Jahns; Scott E. et al.
US 6558382 B2	USPAT	Jahns; Scott E. et al.
US 6558314 B1	USPAT	Adelman; Thomas G. et al.
US 6592552 B1	USPAT	Schmidt; Cecil C.
US 6652518 B2	USPAT	Wellman; Parris S. et al.
US 6887238 B2	USPAT	Jahns; Scott E. et al.
US 6960205 B2	USPAT	Jahns; Scott E. et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex B. Toy whose telephone number is (571) 272-1953.

The examiner can normally be reached on Monday through Friday, 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Linda C.M. Dvorak can be reached on (571) 272-4764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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